



# Illinois Valley Fire District

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## Public Records Policy

(Revised 4/15/2020)

### Compliance

The District shall fully comply with the Oregon Public Records Law, ORS 192.311- 192.480.

**Specificity of Request:** In order to facilitate the public's access to records in the District's possession, and to avoid unnecessary expenditure of staff time, person requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable District personnel to readily locate the records sought. District Approved Records Request form to be completed and signed.

In accordance with *Oregon Department of Justice, Public Records*, paragraph 6: *Protective Rules* states: But the right to inspect does not include a right to browse through file cabinets, file folders, or electronic files. (<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/i-public-records/>)

**Access:** The District shall permit inspection and examination of its non-exempt public records during regular business hours in the District's offices, or such other locations as the District may reasonably designate. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.324.

When a request is submitted in writing, the district must respond within five business days acknowledging the receipt of the request. You then have an additional 10 business days to fulfill the request or issue a written response estimating how long fulfillment will take. The district is not subject to this response timeframe if it is awaiting a response from the requester seeking clarification of the inquiry or if the requester has not agreed to pay for the records, provided that the cost is \$25 or more. If the requestor fails to pay the fee within 60 days of the date on which the public body informed the requester of the fee, or fails to pay the fee within 60 days of the date on which the public body informed the requester of the denial of the fee waiver, the public body shall close the request. (192.329-3-B)

Other considerations that apply are:

- Complicated requests
- Large volume of requests
- Requests involving documents not readily available or if the necessary staff are unavailable to fulfill the request

### Fees for Public Records

Fees must be limited to no more than \$25.00 unless the requestor is provided with a written notification of the estimated amount of the fee and the requestor confirms that he/she wants the public body to proceed.

In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the District (as established in Resolution 13-13):

Requests requiring less than 1/4 hour to complete (including labor) will be charged as follows:

District residents, patients, victims (Basic incident report)	\$ 0.00
B & W Incident report (up to 7 pages)	\$15.00
Photocopying per B & W page	\$ 0.25
Photocopying per Color page	\$ 1.25
CD Creation	\$ 5.00
US Mail	\$ 5.00

Requests requiring more than 1/4 hour to complete will include:

Staff time (actual wage costs including benefits and overhead):  
Archiving retrieval/restoration cost.  
Disposable supplies, postal expenses, and other actual costs associated with the request.  
Photos copied (only those that are public record), reproduction of ALL photos is  
PROHIBITED without prior written photographer and District consent.

**Reduced Fee or Free Copies:** Whenever it determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the Board or Custodian may so authorize.  
ORS 192.324(5)

#### **Authorization Required for Removal of Original Records**

At no time shall an original record of the District be removed from the District's files or the place at which the record is regularly maintained, except upon authorization and direction of the Board of Directors or Fire Chief.

#### **On-Site Review of Original Records**

If a request to review original records is made, the District shall permit such a review provided that search fees are paid in advance in accordance with the Fees for Public Records section, above. A representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

#### **Unauthorized Alteration, Removal or Destruction of Records.**

If any person attempts to alter, remove or destroy any District record, the District representative shall immediately terminate such person's review, and notify the attorney for the District.

#### **Non-Disclosure of Personal Information**

In accordance with ORS 192.377, personal information will not be disclosed. If paper copies are requested, that personal information will be redacted. If electronic copies are requested, an electronic copy will NOT be provided if personal information is a component of the electronic record. Additionally, by motion of the Board of Directors, an electronic copy of financial records will not be released except in the case of an auditor or other financial professional hired by the District.